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## MINUTES

The Town of Manteo Board of Commissioners held their Recessed February 17, 2021 meeting at 5:00 p.m. at 407 Budleigh Street, Manteo, NC and via teleconference.

The following members were present:

- Mayor Bobby Owens (remote)
- Mayor Pro-Tem Betty Selby
- Commissioner Darrell Collins (remote)
- Commissioner Eddie Mann
- Commissioner Jason Borland
- Commissioner Christine Walker (remote)

The following members were absent: Commissioner Richie Burke

Also present at the meeting were:

- Town Manager James Ayers
- Town Attorney Ben Gallop
- IT Director Carl Woody
- Town Planner Melissa Dickerson
- Town Clerk Jamie Whitley

Mayor Bobby Owens called the meeting to order at 5:02 p.m. Town Manager Ayers did a roll call verifying that there was a quorum: Mayor Owens-present (remote); Mayor Pro-Tem Selby-present; Commissioner Borland-present; Commissioner Collins-present (remote); Commissioner Mann-present; Commissioner Walker-present (remote) and Commissioner Burke-absent. A quorum was established.

**SUBJECT:** Adoption of Agenda as presented or amended

**MOTION:** A motion was made by Commissioner Walker and seconded by Mayor Pro-Tem Selby to approve the agenda as presented and was approved by the following roll call vote: Ayes: Mayor Pro-Tem Selby, Commissioners Borland, Mann, Walker, and Collins. Nays: None. Absent: Commissioner Burke. **Motion carried.**

**SUBJECT:** Adoption of the items on the Consent Agenda as presented or amended

**MOTION:** A motion was made by Commissioner Collins and seconded by Commissioner Borland to approve the Consent Agenda with the following items: Ordinance Number 2021-01-COD: An Ordinance Amending the Town Code of the Town of Manteo, North Carolina to Align Check Signing Authority with the North Carolina General Statutes; Resolution 2021-01: A Resolution Designating Town Officials to Sign Checks and Disburse Funds; PNC Bank: Master Resolution and Authorization for Depository Accounts and Treasury Management Services; and PNC Bank: Addendum to Master Resolution and Authorization for Depository Accounts and Treasury Management Services and was approved by the following roll call vote: Ayes: Mayor Pro-Tem Selby, Commissioners Borland, Mann, Walker, and Collins. Nays: None. Absent: Commissioner Burke. **Motion carried.**

## PRESENTATIONS & REPORTS

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### **SUBJECT:** Introduction of New Staff

Lieutenant Brad Eilert introduced our newest Police Officer Josh Miller. He was sworn in on January 20, 2021. Mr. Miller attended Pitt Community College and Beaufort Community College and was 1<sup>st</sup> in his Basic Law Enforcement Training (BLET) class. He has had experience in the private sector and in municipal and county law enforcement.

Mr. Ayers introduced our newest employee Jo Briggs. She started today in her role as the Accountant and Deputy Finance Officer. She earned a Bachelors of Science in Business Administration with a major in Accounting from the University of North Carolina at Chapel Hill. She has extensive experience in accounting, reporting, budgeting, forecasting and management. She started her career as a Staff Auditor for one of the big four public accounting firms. She has held various other positions including Staff Accountant, Controller, Accounting Manager and Director of Finance. She is a Certified Public Accountant (CPA) with current registration here in North Carolina.

### **SUBJECT:** Department Head Reports

The Department Head written reports were given to the Board and are available on our website at [manteonc.gov](http://manteonc.gov) for the general public to review. A special presentation from the Town Clerk was shown to the Board.

### **SUBJECT:** Update on Shallowbag Bay Sewer Pump Station

Mr. Ayers gave the Board of Commissioners an update on the Shallowbag Bay Sewer Pump Station. Mr. Ayers reviewed the same objectives for this project because they have not changed. The objectives are still to continue sewer service to wide area of town, to protect the environment by preventing overflows and to ensure service even in severe weather or power outage. He showed to Board a map of the Sub-basins for the Town of Manteo Service Areas.

The scope of work for this project is to replace existing pump station originally constructed in early 1940s, raise wet well height above ground to resist flooding, install emergency generator as back-up power source and construct building to protect pump station, controls, and generator. The location of the project is 100 Queen Elizabeth Avenue and the Weather Tower Parking Lot. The building issues are protection of the viewshed, protection of specimen trees, and sensitive to Manteo Way Architectural Style. The proposed location is behind the trees to preserve the viewshed and the structure will be placed on property solely owned by the Town. The location of the shed will be in a location as to not disturb the specimen trees. The shed's proposed exterior will look like the Ella View Shed to make the site aesthetically pleasing and similar to the other buildings on this "campus". A design alternate is to have a porch like the one on the Maritime Museum. The shed will house the pump to make sure that people can't access the pump station and a generator that will be raised to ensure that it will not be affected by flooding.

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The project costs \$1,128,793. We have a total of \$1,106,660 that is funded by the State of North Carolina, which is comprised of a \$500,000 Loan Forgiveness or Grant and \$606,660 at 0% Interest for 20 Years.

The updated project schedule is:

- Bid and Design Package Submittal to State in January 2021
- Bid and Design Package Approval by State in May 2021
- Bid Process and State Approval in September 2021
- Execute Construction Contract in November 2021
- Construction Completion Estimated by August 2022

This a long process because of the rules set by the State but this project is necessary to fix this structure from the 1940s. For community engagement in terms of public sessions, we have already been putting out information for months with updates on the website, social media, etc. Mr. Ayers coordinated last year with the resident and business representatives for the Waterfront Condos. We want to update everyone and expand our communication program to get the word out so that everyone can see what we have going on with this project. We want to get in touch with adjacent property owners and business owners so that they can see what we are doing. We will go through the public planning and approval process with public notices, agendas, presentations and etc.

## **PUBLIC COMMENTS**

*Members of the public are invited to address the Board of Commissioners on any topic. Public Comment is not intended to require the Board to answer any impromptu questions or to take any action on items brought up during the public comment period. Speakers will address all the comments to the Board as a whole and not one individual Commissioner. Discussions between speakers and members of the audience will not be allowed. Time limits are 3 minutes per person or 5 minutes per group. Please identify yourself and your location so that your statements can be recorded.*

No one wished to address the board.

## **OLD BUSINESS**

**SUBJECT:** Zoning District Designation for Town-Owned Property at 0 Sir Walter Raleigh Street

The State issued a statute that requires that we allow a 24-hour period after the hearing to receive written comments. Mr. Ayers indicated that we did not receive any written comments on this matter. This is the time for the Board to deliberate and Planner Dickerson is available for any questions from the Board.

Single family homes and multifamily residential units are allowed in the R-2 District. Single wide trailers are not permitted in the R-2 District. Single wide trailers are allowed in R-2M.

**MOTION:** A motion was made by Commissioner Mann and seconded by Commissioner Walker to designate 0 Sir Walter Raleigh Street (Dare County Parcel 025502000) as R-2 General Residential and was approved by the following roll call vote: Ayes: Mayor Pro-Tem Selby, Commissioners Borland, Mann, Walker, and Collins. Nays: None. Absent: Commissioner Burke. **Motion carried.**

**SUBJECT:** Conditional Use Permit for Manteo High School

This was an evidentiary hearing, quasi-judicial, and we needed to continue this hearing for written comments and to have the same people who were sworn to be present during the deliberations of the Board. Town Planner Melissa Dickerson and Engineer John DeLucia, who is the representative for the School Board, were still sworn in. Mrs. Dickerson was present in person and Mr. DeLucia was present remotely.

Mayor Pro-Tem Selby recused herself during the last meeting and this hearing is a continuation of that meeting. The recusal still stands for the re-opening of this hearing.

**MOTION:** A motion was made by Commissioner Mann and seconded by Commissioner Borland to re-open the Evidentiary Hearing on the Conditional Use Permit Amendment for Manteo High School and was approved by the following roll call vote: Ayes: Commissioners Borland, Mann, Walker, and Collins. Nays: None. Absent: Commissioner Burke. Recused: Mayor Pro-Tem Selby. **Motion carried.**

Attorney Ben Gallop informed the Board that the hearing is essential over because we did not receive any written comments in the 24-hour period following the last meeting. He informed the Board, if they have any questions for Mrs. Dickerson or Mr. DeLucia, they can ask their questions now. If they do not have any questions then we can move to deliberations.

With no questions, Mr. Gallop declared that the evidentiary portion of the hearing is closed. He instructed the Board should take into account the record that was presented including the plans, other documents presented by Mr. DeLucia, and the testimony by Mr. DeLucia and Ms. Dickerson.

Mr. Gallop stated that it is now appropriate for the Board to consider moving to approve the Conditional Use Permit, moving to deny the Conditional Use Permit or moving to approve the Conditional Use Permit with specific conditions. He suggested that whichever motion is made that the end of the motion state that "such a motion to be consistent with the findings" or "to adopt findings consistent with the evidence presented by Ms. Dickerson and Mr. DeLucia."

**MOTION:** A motion was made by Commissioner Borland and seconded by Commissioner Mann to approve the Conditional Use Permit Amendment for Manteo High School and to adopt findings consistent with evidence from Melissa Dickerson and John DeLucia as presented in the judicial hearing and was approved by the following roll call vote: Ayes: Commissioners Borland, Mann, Walker, and Collins. Nays: None. Absent: Commissioner Burke. Recused: Mayor Pro-Tem Selby. **Motion carried.**

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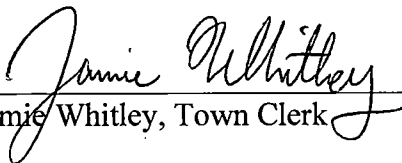
## MAYOR'S/COMMISSIONERS COMMENTS

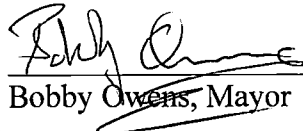
**Commissioner Mann** – Thanked Town Staff for the Discover Manteo signs outside of Manteo. They look great.

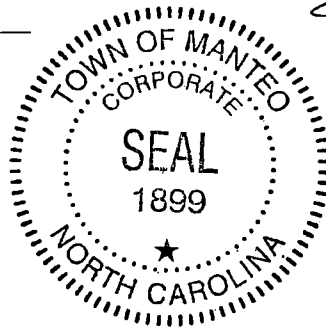
There being no further business to come before the Board or other persons to be heard a motion was made by Commissioner Mann and seconded by Commissioner Walker the meeting was recessed at 5:41 p.m. until February 26, 2021 at 9:00 a.m. for the budget planning retreat that will be in the Outer Banks Visitors Center Boardroom. The motion was approved by the following roll call vote: Ayes: Mayor Pro-Tem Selby, Commissioners Walker, Collins, Mann and Borland. Nays: None. Absent: Commissioner Burke. **Motion carried.**

This the 17<sup>th</sup> day of February 2021.

ATTEST:

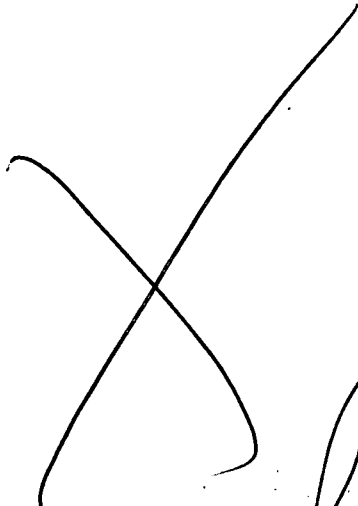

  
Jamie Whitley, Town Clerk

  
Bobby Owens, Mayor



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**AN ORDINANCE AMENDING THE TOWN CODE  
OF THE TOWN OF MANTEO, NORTH CAROLINA TO ALIGN CHECK  
SIGNING AUTHORITY WITH THE NORTH CAROLINA GENERAL  
STATUTES  
Ordinance Number 2021-01COD**

**ARTICLE I. Purpose(s) and Authority.**

**WHEREAS**, pursuant to N.C.G.S. § 160A-174, the Town of Manteo (the "Town") may enact and amend ordinances which define, prohibit, regulate, or abate acts, omissions, or conditions, detrimental to the health, safety, or welfare of its citizens and the peace and dignity of the town, and may define and abate nuisances within its jurisdiction. Pursuant to this authority the Town has codified such ordinances within the Town's Code of Ordinances (the "Town Code"); and

**WHEREAS**, pursuant to N.C.G.S. § 159-25 certain persons are required to sign Town checks on official depositories and such checks are to be countersigned by officials designated by the Board of Commissioners; and

**WHEREAS**, the Town further finds that in accordance with the findings above it is in the interest of and not contrary to the public's health, safety, morals and general welfare for the Town to amend the Town Code as stated below.

**ARTICLE II. Construction.**

For purposes of this ordinance amendment, underlined words (underline) shall be considered as additions to existing Town Code language and strikethrough words (~~strikethrough~~) shall be considered deletions to existing language. Any portions of the adopted Town Code which are not repeated herein, but are instead replaced by an ellipsis ("...") shall remain as they currently exist within the Town Code.

**ARTICLE III. Amendment of Town Code.**

NOW, THEREFORE, BE IT ORDAINED by the Town Board of Commissioners of the Town of Manteo, North Carolina, that the Town Code be amended as follows:

**PART I.** That **Sec. 2-7. – Signatures on checks.** of the Code of Ordinances, Town of Manteo, North Carolina, is hereby amended to read as follows:

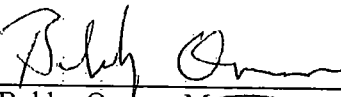
All checks or drafts drawn on town funds in an official depository shall be signed by the finance officer or a properly designated deputy finance officer and countersigned by another official of the Town designated for this purpose by the Board of Commissioners. ~~require two signatures of the approved signatories: finance officer, town manager, mayor, mayor pro tem and a commissioner designated by the board.~~ If the Board of Commissioners makes no other designation or the designated individuals have left the employment of the Town or are no longer on the Board of Commissioners, then the Mayor or Mayor Pro Tempore shall countersign checks and drafts until such time as the Board of Commissioners designates others.

**ARTICLE IV. Severability.**

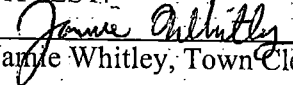
All Town ordinances or parts of ordinances in conflict with this ordinance amendment are hereby repealed. Should a court of competent jurisdiction declare this ordinance amendment or any part thereof to be invalid, such decision shall not affect the remaining provisions of this ordinance amendment nor Town Code of the Town of Manteo, North Carolina which shall remain in full force and effect.

**ARTICLE VI. Effective Date.**

This ordinance amendment shall be in full force and effect from and after the 17<sup>th</sup> day of February, 2021.

  
Bobby Owens, Mayor

ATTEST:

  
Jamie Whitley, Town Clerk

Date adopted: February 17<sup>th</sup>, 2021

Motion to adopt by Commissioner Darrell Collins

Motion seconded by Commissioner Tason Borland

Vote: 5 AYES 0 NAYS





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**Resolution 2021-01**

**RESOLUTION DESIGNATING TOWN  
OFFICIALS TO SIGN CHECKS AND  
DISBURSE FUNDS**

**WHEREAS**, pursuant to Town Code Sec. 2-7 and N.C.G.S. § 159-25 all checks disbursing town funds from an official depository must be signed by the Finance Officer or a designated deputy finance officer and countersigned by another official designated by the Board of Commissioners; and

**WHEREAS**, the Town of Manteo previously established a policy to formally designate employees to sign checks and disburse funds on behalf of the Town of Manteo by Resolution 2004-03, adopted March 3, 2004; and,

**WHEREAS**, the Town is in need of an official to be designated as a deputy finance officer in the absence of the Finance Officer; and

**WHEREAS**, it is now necessary, for a variety of reasons and just cause, to designate specific town officials for the purpose of signing checks and disbursement of town funds;

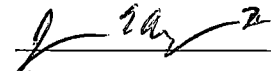
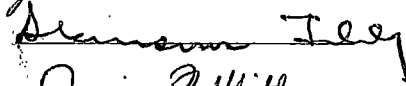
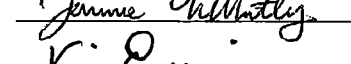
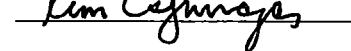
**NOW, THEREFORE, BE IT RESOLVED** by the Town of Manteo Board of Commissioners:

Section 1. Town Manager, James Ayers, is hereby designated as a deputy finance officer.

Section 2. The following named persons, whose signatures are shown, are approved for the signing of checks and the disbursement of monies from all funds of the Town:

<u>Name</u>
James Ayers, Town Manager & Deputy Finance Officer
Shannon Twiddy, Finance Officer
Jamie Whitley, Town Clerk
Kim Espinoza, Accounting Technician II

Signature


Section 3. All checks for disbursement of town funds shall bear the signature of either the Finance Officer or Deputy Finance Officer plus one additional signature from the list above.

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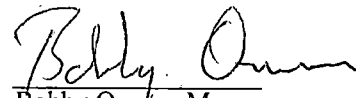
Section 4. This Resolution shall become effective upon its adoption and approval.

Adopted this the 17th day of February 2021.

ATTEST:

  
Jamie Whitley, Town Clerk



  
Bobby Owens, Mayor